

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSE GALLEGOS and
BARBARA GALLEGOS,
on behalf of their minor son, E.G.,

Plaintiffs,

v.

Case No. 1:24-cv-00982-JFR-LF

PHILLIP GALLEGOS, in his individual capacity,

Defendant.

**JOINT MOTION TO APPROVE SETTLEMENT INVOLVING A MINOR AND TO
SET A FAIRNESS HEARING**

COME NOW the Parties, Plaintiffs Jose Gallegos and Barbara Gallegos, by and through their counsel of record, The Law Office of Jamison Barkley, LLC (Jamison Barkley), and the Defendant, Phillip Gallegos, in his individual capacity, by and through his counsel of record, Walz and Associates, P.C. (Jerry A. Walz and Alisha L. Walz), and respectfully move this Court for the entry of an Order Approving the Settlement of all disputed matters between Plaintiffs and Defendant and to set this matter for a Fairness Hearing. As grounds, therefore, the Parties state as follows:

1. The Parties to this proceeding have engaged in good-faith negotiations to settle the lawsuit alleging violations of constitutional rights and all related claims [Doc.1].
2. The Parties have agreed to a full and final settlement of all claims that Plaintiffs raised or could have raised regarding the incidents described in their Complaint [Doc.1].

3. Pursuant to a Joint Motion, the Parties requested that this Court appoint Gabrielle M. Valdez as Guardian ad Litem to advise the Court as to the propriety of the proposed settlement [Doc. 5].

4. The Court appointed Gabrielle M. Valdez as Guardian ad Litem for the minor, E.G., [Doc. 6], and, pursuant to the Court's ruling at the Status hearing held on January 16, 2025, [Doc. 7], her report is due to the Court on or before January 24, 2025.

5. The Parties, therefore, jointly request the Court set this matter for a fairness hearing and, if the Court deems it appropriate, approve the proposed settlement for the minor. In addition, the Parties respectfully request that the Court set the hearing at its earliest available setting to expedite settlement of Plaintiffs' claims.

WHEREFORE, the Parties respectfully request that a telephonic fairness hearing be set to approve the minor, E.G.,'s settlement in this matter.

Respectfully submitted,

WALZ AND ASSOCIATES, P.C.

/s/ Jerry A. Walz

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